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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Kephart et al.	Date: November 17, 2000
Serial No.:	09/061,706	Group Art Unit: 2777
Filed:	April 17, 1998	Examiner: W. Bashore
For:	AN AUTOMATED ASSISTANT FOR ORGANIZING ELECTRONIC DOCUMENTS	

RULE 132 DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed on September 21, 2001, Applicants affirm, upon penalty of perjury, and upon information and belief as follows:

1. I am an inventor of the above-caption patent application.

2. The invention described and claimed in the above-captioned application is currently marketed under the tradename "SwiftFile" by IBM Corporation.

3. Since the filing of this application, I believe that the presently claimed technology can be found in add-ins or extensions to products marketed by others, for example the "SmartLook" extension to the Outlook Express e-mail product marketed by Microsoft.

4. As indicated in Exhibit A, a paper by Jean-David Ruvini and Jean-Marc Gabriel of E-Lab Bouygues, St. Quentin en Yvelines, France, entitled *Do Users Tolerate Errors From Their Assistant? Experiments with an E-mail Classifier*, (2002), "Smartlook" is an Outlook re-implementation of SwiftFile, the only difference being that this extension to Microsoft's product utilizes six suggestion buttons, as opposed to SwiftFile's three (see first page, second column,

second paragraph). As indicated, Smartlook possesses the same accuracy rate of better than 80% as that of SwiftFile.

5. Attached as Exhibit B is a tutorial by Anthony Jameson of the German Research Center for Artificial Intelligence, entitled *Designing Systems That Adapt to Their Users*, (2001), wherein a demo of SwiftFile is provided beginning at page 53 and its accuracy reported on page 160, indicating accuracy better than 80%.

6. Currently, SwiftFile is being offered by IBM as an add-in to Lotus Notes v6 Beta, and is featured on the official Lotus Notes v6 Beta download page at http://www.notes.net/notes6. That page points to a maintained website where SwiftFile may be downloaded, the URL of which is

http://www.notes.net/sandbox.nsf/19865050191fa9b485256817002048ea/831ada9c85e65cd988256aa7007122bf?OpenDocument.

Since this website was set up in August of 2001, there have been over three thousand downloads.

7. The undersigned therefore submits this information to the Examiner as evidence traversing a prima facie case of obviousness, the evidence of non-obviousness and evident in the superior performance of Applicants' invention over the cited art demonstrates that the claimed automated "classifier" and step of "incrementally retraining the classifier" as claimed in Applicants' independent claims 11 and 61 is a commercial success.

8. The undersigned further submits that Applicants' interface of using "one-click" classification as claimed in claims 62 and 63 are also non-obvious over the prior art as indicated by the increased speed (reduction in classification time by 25% according to Ruvini and Gabriel). In the Introduction to *Adaptive Interfaces and Agents*, (Chapter 15 of the Handbook of Human-Computer Interaction, Lawrence Ehrlbaum publishers) also by Anthony Jameson of the German Research Center for Artificial Intelligence and submitted herewith as Exhibit C, Jameson cites SwiftFile prominently as an example of innovation in intelligent, adaptive user interfaces, and

writes "If the User notices that one of these guesses is correct, she can click on the corresponding button, saving herself the mental and physical effort of selecting the correct folder via the usual methods." This is conclusive evidence that applicants one-click feature satisfies a long-felt need over the existing "usual methods", i.e., the prior art.

The undersigned has read and understands the above Declaration as is aware that willfully making false statements herein is punishable by fine and or imprisonment.

Dated: 2/21/02

Jeffrey O. Kephart, Co-Inventor